

TO: Mail Stop 8
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

E-FILED 129
REPORT ON THE
FILING OR DETERMINATION OF AN
ACTION REGARDING A PATENT OR
TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of California on the following Patents or Trademarks:

DOCKET NO.	DATE FILED 7/12/2011	U.S. DISTRICT COURT Northern District of California
PLAINTIFF Innovative Automation LLC		DEFENDANT Mediatechnics Systems, Inc.; Tibi Szilagya; Coptech Digital, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,174,362	2/6/2007	Innovative Automation LLC
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input checked="" type="checkbox"/> Amendment <input checked="" type="checkbox"/> Answer <input checked="" type="checkbox"/> Cross Bill <input checked="" type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	
1		
2		
3		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

FAILED
FIRST LEGAL SUPPORT SERVICES

~~ORIGINAL~~

1 **GUTRIDE SAFIER LLP**
2 ADAM J. GUTRIDE (State Bar No. 181446)
3 adam@gutridesafier.com
4 SETH A. SAFIER (State Bar No. 197427)
5 seth@gutridesafier.com
6 TODD KENNEDY (State Bar No. 250267)
7 todd@gutridesafier.com
8 835 Douglass Street
9 San Francisco, California 94114
10 Telephone: (415) 789-6390
11 Facsimile: (415) 449-6469

12 **BOOKE & AJLOUNY LLP** **E-filing**
13 VICTORIA L.H. BOOKE (State Bar No. 142518)

14 vbooke@gmail.com
15 PETER AJLOUNY (State Bar No. 192322)
16 peter@bookelaw.com
17 606 North First Street
18 San Jose, California 95112
19 Telephone: (408) 286-7000
20 Facsimile: (408) 286-7111

21 Attorneys for Plaintiff

22 INNOVATIVE AUTOMATION LLC,

23 Plaintiff,

24 v.

25 MEDIATECHNICS SYSTEMS, INC.;
26 TIBI SZILAGYA, an individual;
27 COPTECH DIGITAL, INC.,

28 Defendants.

Case No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Date: July 12, 2011

HRL

FAXED
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Complaint for Patent Infringement

FILED
2011 JUL 12 PM 3:36
RICHARD W. WICKING,
CLERK OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(19)
TS

1 Plaintiff Innovative Automation LLC states its complaint against Defendants
2 Mediatechnics Systems, Inc., Tibi Szilagya, and Coptech Digital, Inc., and alleges as
3 follows:

4 **THE PARTIES**

5 1. Plaintiff Innovative Automation LLC ("Plaintiff" or "Innovative Automation")
6 is a limited liability company organized and existing under the laws of the State of
7 California, with its principal place of business at 606 North First Street, San Jose, California
8 95112.

9 2. On information and belief, Defendant Mediatechnics Systems, Inc.
10 ("Mediatechnics") is a corporation that, during at least part of the relevant period, was
11 organized and existing under the laws of the State of California, with its principal place of
12 business at 4 Bluehill Court, Scotts Valley, California 95066. On information and belief,
13 one or more individuals continue to operate the business of Mediatechnics, and to sell
14 products under the Mediatechnics name, although the corporate status of Mediatechnics has
15 been suspended.

16 3. On information and belief, Defendant Tibi Szilagya is an individual residing at
17 4 Bluehill Court, Scotts Valley, California 95066. On information and belief, Mr. Szilagya
18 has directed the operations of Mediatechnics during the entirety of the relevant period—both
19 before and after Mediatechnics' corporate status was suspended.

20 4. On information and belief, Defendant Coptech Digital, Inc. ("Coptech") is a
21 corporation organized and existing under the laws of the Commonwealth of Massachusetts,
22 with its principal place of business at 100 Cummings Park, Woburn, Massachusetts 01801.

23 **JURISDICTION AND VENUE**

24 5. Plaintiff realleges and incorporates by reference paragraphs the above
25 paragraphs of this Complaint, inclusive, as though fully set forth herein.

1 6. This action is for patent infringement pursuant to the patent laws of the United
2 States, 35 U.S.C. §§ 1 *et seq.* This Court has subject matter jurisdiction over the action
3 pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4 7. This Court has personal jurisdiction over Defendant Mediatechnics Systems,
5 Inc. because, on information and belief, Mediatechnics does and has done substantial
6 business in this judicial District, including (i) maintaining its principal place of business in
7 this judicial District; (ii) committing acts of patent infringement and/or contributing to or
8 inducing acts of patent infringement by others in this judicial District and elsewhere in
9 California; and (iii) regularly doing business or soliciting business, engaging in other
10 persistent courses of conduct, and/or deriving substantial revenue from products and/or
11 services provided to persons in this District and in this State.

12 8. This Court has personal jurisdiction over Defendant Tibi Szilagya because, on
13 information and belief, Mr. Szilagya resides in this judicial District, and because Mr.
14 Szilagya does and has done substantial business in this judicial District, including (i)
15 directing the operations of Mediatechnics Systems, Inc., which maintained and maintains its
16 principal place of business in this judicial District; (ii) committing acts of patent
17 infringement and/or contributing to or inducing acts of patent infringement by others in this
18 judicial District and elsewhere in California; and (iii) regularly doing business or soliciting
19 business, engaging in other persistent courses of conduct, and/or deriving substantial
20 revenue from products and/or services provided to persons in this District and in this State.

21 9. This Court has personal jurisdiction over Defendant Coptech Digital, Inc.
22 because, on information and belief, Coptech does and has done substantial business in this
23 judicial District, including (i) committing acts of patent infringement and/or contributing to
24 or inducing acts of patent infringement by others in this judicial District and elsewhere in
25 California; (ii) making significant purchases of infringing products in this judicial District;
26 and (iii) regularly doing business or soliciting business, engaging in other persistent courses

of conduct, and/or deriving substantial revenue from products and/or services provided to persons in this District and in this State.

10. Venue is proper in this judicial District pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, on information and belief, the Defendants have committed acts of direct and indirect infringement in this judicial District and have transacted business in this judicial District. In addition, Defendant Mediatechnics has its headquarters and/or facilities in this judicial District, and Defendant Szilagya resides in this judicial District.

CLAIM FOR RELIEF

(Infringement of United States Patent No. 7,174,362)

11. Plaintiff realleges and incorporates by reference paragraphs the above paragraphs of this Complaint, inclusive, as though fully set forth herein.

12. Plaintiff is the owner of all right, title, and interest in United States Patent No. 7,174,362, entitled "Method and System for Supplying Products from Pre-Stored Digital Data in Response to Demands Transmitted via Computer Network," duly and legally issued by the United States Patent and Trademark Office on February 6, 2007 (the "'362 patent"). A true and correct copy of the '362 patent is attached hereto as Exhibit A.

13. The '362 patent generally describes and claims a computer-implemented method of digital data duplication. In the method of claim 1 of the '362 patent, a request is taken at one or more user interfaces and is transmitted through a network to a computer. The computer contains a module to create a task log based on incoming requests; a module for storing the necessary data; and a module to create a subset of the data, download that subset to an output device, and command the device to transfer the subset onto blank media. The request is assigned to an output device, and the duplication process is executed. Claims 2-8 of the '362 patent describe various other methods and a system of digital data duplication.

14. On information and belief, Mediatechnics Systems, Inc. has contributorily infringed and continues to contributorily infringe one or more claims of the '362 patent,

1 literally and/or under the doctrine of equivalents, by making, offering to sell, and selling
2 devices that (1) constitute a material part of the invention of the '362 patent, (2)
3 Mediatechnics knows to be especially adapted for use in infringing the '362 patent, and (3)
4 are not staple articles of commerce suitable for substantial noninfringing use with respect to
5 the '362 patent. These devices include at least the Mediatechnics Fusion KVM, and are
6 used by companies, such as those that offer digital media duplication services, in a way that
7 directly infringes one or more claims of the '362 patent. In addition, Mediatechnics has
8 directly infringed, and continues to directly infringe, literally and/or under the doctrine of
9 equivalents, one or more claims of the '362 patent under 35 U.S.C. § 271 by using the
10 claimed method(s) of duplicating digital data while (i) testing these devices; and (ii) using
11 these devices to perform digital media duplication services such as optical media duplication
12 services.

13 15. On information and belief, Tibi Szilagya has contributorily infringed and
14 continues to contributorily infringe one or more claims of the '362 patent, literally and/or
15 under the doctrine of equivalents, by making, offering to sell, and selling devices that (1)
16 constitute a material part of the invention of the '362 patent, (2) Mr. Szilagya knows to be
17 especially adapted for use in infringing the '362 patent, and (3) are not staple articles of
18 commerce suitable for substantial noninfringing use with respect to the '362 patent. These
19 devices include at least the Mediatechnics Fusion KVM, and are used by companies, such as
20 those that offer digital media duplication services, in a way that directly infringes one or
21 more claims of the '362 patent. In addition, Mr. Szilagya has directly infringed, and
22 continues to directly infringe, literally and/or under the doctrine of equivalents, one or more
23 claims of the '362 patent under 35 U.S.C. § 271 by using the claimed method(s) of
24 duplicating digital data while (i) testing these devices; and (ii) using these devices to
25 perform digital media duplication services such as optical media duplication services.

26 16. Defendant Coptech Digital, Inc. has infringed, and continues to infringe,
27 literally and/or under the doctrine of equivalents, one or more claims of the '362 patent
28

under 35 U.S.C. § 271 by using the claimed method(s) of duplicating digital data while performing digital media duplication services such as its optical media duplication services.

17. As a result of each Defendant's infringing activities, Plaintiff has suffered damages in an amount not yet ascertained. Plaintiff is entitled to recover damages adequate to compensate it for each Defendant's infringing activities in an amount to be determined at trial, but in no event less than reasonable royalties, together with interest and costs.

18. Plaintiff reserves the right to allege, after discovery, that each Defendant's infringement is willful and deliberate, entitling Plaintiff to increased damages under 35 U.S.C. § 284, and to attorneys' fees incurred in prosecuting this action under 35 U.S.C. § 285.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests entry of judgment in its favor against each Defendant as follows:

- a) For a declaration that each Defendant has infringed, directly and/or indirectly, the '362 patent;
 - b) For an award of damages adequate to compensate Plaintiff for each Defendant's infringement of the '362 patent, but in no event less than a reasonable royalty, together with prejudgment and post-judgment interest and costs, in an amount according to proof;
 - c) For an entry of a permanent injunction enjoining each Defendant, and its respective officers, agents, employees, and those acting in privity, from further infringement, including contributory infringement and/or inducing infringement, of the '362 patent, or in the alternative, awarding a royalty for post-judgment infringement;
 - d) For an award of attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law; and
 - e) For an award to Plaintiff of such other costs and further relief as the Court may deem just and proper.

1 **DEMAND FOR JURY TRIAL**

2 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully
3 requests a trial by jury.

4 Respectfully submitted,

5 Dated: July 12, 2011

6 **GUTRIDE SAFIER LLP**

7 
8 Adam J. Gutride, Esq.
9 Seth A. Safier, Esq.
10 Todd Kennedy, Esq.
11 835 Douglass Street
12 San Francisco, California 94114
13 Telephone: (415) 789-6390
14 Facsimile: (415) 449-6469

15 Victoria L.H. Booke
16 Peter Ajlouny
17 BOOKÈ & AJLOUNY LLP
18 606 North First Street
19 San Jose, California 95112
20 Telephone: (408) 286-7000
21 Facsimile: (408) 286-7111

22 Attorneys for Plaintiff Innovative
23 Automation LLC

JS 44 (Rev. 12/07) (CAND Rev 1/10)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

CIVIL COVER SHEET

I. (a) PLAINTIFFS

INNOVATIVE AUTOMATION LLC

(b) County of Residence of First Listed Plaintiff Santa Clara County
(EXCEPT IN U.S. PLAINTIFF CASES)

(e) Attorney's (Firm Name, Address, and Telephone Number)

TODD KENNEDY (State Bar No. 250267)
GUTRIDE SAFIER LLP
835 Douglass Street
San Francisco, California 94114 (415) 789-6390

DEFENDANTS
MEDIATECHNICS SYSTEMS, INC.; TIBI SZILAGYA;
COPTECH DIGITAL, INC.**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- | | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury—Med. Malpractice	<input type="checkbox"/> 423 Withdrawal	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury — Product Liability	28 USC 157	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 875 Customer Challenge
<input type="checkbox"/> 196 Franchise				12 USC 3410
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus:	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 513 General	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 863 DW/C/DIWV (405(g))	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 555 Prison Condition		<input type="checkbox"/> 895 Freedom of Information Act
	<input type="checkbox"/> 440 Other Civil Rights			<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
				<input type="checkbox"/> 950 Constitutionality of State Statutes
IMMIGRATION	FEDERAL TAX SUITS			
	<input type="checkbox"/> 462 Naturalization Application		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
	<input type="checkbox"/> 463 Habeas Corpus – Alien Detainee		<input type="checkbox"/> 871 IRS – Third Party	
	<input type="checkbox"/> 465 Other Immigration Actions		26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court

Transferred from

- 4 Reinstated or Reopened 5 another district (specify)

- 6 Multidistrict Litigation

Appeal to District

- 7 Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

35 U.S.C. § 271

Brief description of cause:

Patent Infringement

VI. CAUSE OF ACTION**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE
"NOTICE OF RELATED CASE". See Notice of Related Cases, filed concurrently.

**IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2)
(PLACE AND "X" IN ONE BOX ONLY)** SAN FRANCISCO/OAKLAND SAN JOSE EUREKADATE
July 12, 2011

SIGNATURE OF ATTORNEY OF RECORD

[Signature]

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